

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DANNY L. KIRTS,)	CASE NO. 4:05CV3281
)	
Plaintiff,)	
)	
vs.)	
)	
BURLINGTON NORTHERN & SANTA)	
FE RAILWAY COMPANY, a Delaware)	
corporation, and LIBERTY MUTUAL)	
INSURANCE GROUP,)	
)	
Defendants,)	
)	
v.)	
)	
BNSF RAILWAY COMPANY f/k/a)	
Burlington Northern & Santa Fe Railway)	
Company,)	ORDER
)	
Defendant/Third-Party Plaintiff,)	
)	
v.)	
)	
THE WESTERN SUGAR)	
COOPERATIVE, a Colorado cooperative)	
corporation,)	
)	
Third-Party Defendant.)	

Third-Party Defendant, The Western Sugar Cooperative, has filed a Motion to File an Answer or otherwise plead out of time, filing 16. For good cause shown, the Motion is granted. Third-Party Defendant, The Western Sugar Cooperative, is directed to file an Answer or otherwise plead by February 2, 2006.

IT IS SO ORDERED.

Dated this 27th day of January, 2006.

BY THE COURT

s/ *David L. Piester*
David L. Piester
United States Magistrate Judge

PREPARED AND SUBMITTED BY:

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